

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE

EASTERN DISTRICT OF VIRGINIA

2016 DEC 21 P 4:31

Alexandria Division

CLERK US DISTRICT COURT
ALEXANDRIA, VIRGINIA

UNITED STATES OF AMERICA

v.

ROBERT MASON WILDES,

Defendant.

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Criminal No. 1:16-mj-559

CONSENT MOTION TO EXTEND TIME FOR INDICTMENT

The United States of America, through undersigned counsel, with the express consent of the defendant, and the defendant's counsel, respectfully moves the Court to extend the time to indict this case through and including February 6, 2017. In support thereof, the parties state as follows:

1. The defendant was arrested on federal charges on December 6, 2016. The defendant made his initial appearance in the Eastern District of Virginia on December 7, 2016, and upon the government's motion, he was temporarily detained pending a preliminary and detention hearing. On December 9, 2016, the defendant's preliminary hearing and detention hearing were held. At the preliminary hearing, the Honorable Ivan D. Davis, United States Magistrate Judge, found the criminal complaint was supported by probable cause. Further, the defendant was ordered detained until a suitable third-party custodian was found.

2. The Speedy Trial Act requires that the defendant be indicted within thirty days of the defendant's arrest after subtracting all excludable time. The indictment deadline is January 7, 2017. The parties jointly request an extension of approximately 30 days for the time to indict. Extending this time period for approximately 30 days would be in the best interests of justice in

that it would give the defense counsel an opportunity to meet with the defendant, review discovery, and to discuss possible cooperation and a possible pre-indictment plea resolution of the case.

3. The defendant hereby agrees to waive any objections under the Speedy Trial Act and to extend the government's time to file an indictment in this case through and including February 6, 2017. The waiver is made knowingly, intentionally, and voluntarily by the defendant, and with full knowledge of the provisions of the Speedy Trial Act, Title 18, United States Code, Sections 3161, *et seq.*, and with the advice and consent of counsel.

4. The defendant expressly understands that his waiver is not predicated upon any promises, agreements, or understandings of any kind between the government and the defense in this case, and that nothing contained herein shall be construed to preclude the government from proceeding against the defendant during or after the time period covered by this waiver.

WHEREFORE, the parties request that the time to indict this case be extended to and including February 6, 2017, and that the delay resulting from this extension be excluded in computing the time within which an indictment must be filed pursuant to Title 18, United States Code, Section 3161(h).

Respectfully submitted,

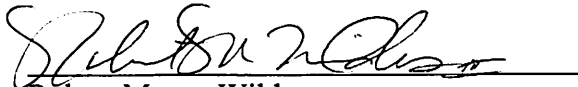
Dana J. Boente
United States Attorney



Carina A. Cuellar
Assistant United States Attorney

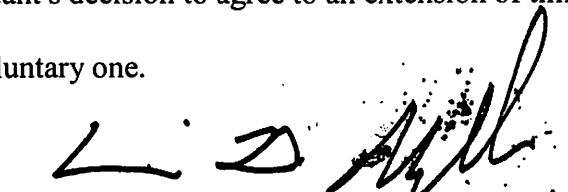
Defendant's Signature: I hereby agree that I have consulted with my attorney and fully understand all my rights with respect to a speedy trial, including my right to be charged by indictment within 30 days of arrest, after subtracting all excludable time, as required by Title 18, United States Code, Section 3161(b). I have read this motion for an extension of time to be charged by indictment, and carefully reviewed every part of it with my attorney. I understand this motion and voluntarily agree to it.

Date: 21 DEC 16


Robert Mason Wildes
Defendant

Defense Counsels Signature: I am counsel for the defendant in this case. I have fully explained to the defendant the defendant's right to be charged by indictment within 30 days of arrest. Specifically, I have reviewed the terms and conditions of Title 18, United States Code, Section 3161(b), and I have fully explained to the defendant the provisions that may apply in this case. To my knowledge, the defendant's decision to agree to an extension of time to be charged by indictment is an informed and voluntary one.

Date: 20 Dec. 2016


~~Robert Lee Jenkins, Jr., Esq~~
Counsel for the Defendant